

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Clarence James Dickens,

Civil 12-1450 PJS/FLN

Plaintiff,

v.

O R D E R

Joan Fabian, John King, et al.,

Defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated October 10, 2012, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed in forma pauperis, (Docket No. 2), is **DENIED**;
2. Plaintiff's motion for appointment of counsel, (Docket No. 3), is **DENIED**; and
3. This action is **DISMISSED WITHOUT PREJUDICE**.

DATED: October 30, 2012.

s/Patrick J. Schiltz
JUDGE PATRICK J. SCHILTZ
United States District Court